

## Message Text

SECRET

PAGE 01 MOSCOW 16724 021453Z

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ACTION SP-02

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TO SECSTATE WASHDC IMMEDIATE 4233

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S E C R E T MOSCOW 16724

LIMDIS

FROM ENMOD #1

E.O. 11652: XGDS-3

TAGS: PARM, UR, US, OEXD

SUBJ: ENMOD NEGOTIATIONS: FIRST PLENARY

REF: STATE 239983 (NOTAL)

SUMMARY: DURING ENMOD NEGOTIATIONS, NOVEMBER 1, SOVIETS REPEATEDLY PRESSED FOR DISCUSSION ON BASIS OF THEIR DRAFT CONVENTION OR FOR US TO TABLE DRAFT OF ITS OWN. US SIDE MADE CLEAR UNACCEPTABILITY OF SOVIET DRAFT AS BASIS FOR DISCUSSION AND TREATY DRAFTING PREMATURE AT THIS EXPLORATORY STAGE.  
END SUMMARY.

1. FEDEROV OPENED SESSION MORNING NOVEMBER 1, AND AFTER PRELIMINARY REMARKS, GAVE FLOOR TO DAVIES. DAVIES STATED THAT TALKS STEMMED DIRECTLY FROM JULY 3 SOVIET-AMERICAN JOINT STATEMENT. HE STRESSED IMPORTANCE OF DEFINING SUBJECT MATTER OF FUTURE ACCORD AND EMPHASIZED DANGER OF ENVIRONMENTAL MODIFICATION

SECRET

SECRET

PAGE 02 MOSCOW 16724 021453Z

TECHNIQUES WHICH HAVE "WIDESPREAD, LONG LASTING OR

SEVERE EFFECTS." DAVIES POINTED OUT THAT US HAD UNILATERALLY RENOUNCED CLIMATE MODIFICATION.

2. FEDOROV STATED SOVIET ENMOD PROHIBITION ACTIVITIES, INCLUDING DRAFT CONVENTION SUBMITTED AT UN, WERE PART OF SOVIET POLITICAL EFFORTS TO PROMOTE DETENTE. HE SAID THAT SOVIET UNION WISHED TO RESTRAIN INTERNATIONAL USE, DEVELOPMENT, OR "WORKING OUT" OF FUTURE MILITARY MEANS OF ENMOD. UNDER PROBING BY DAVIES, FEDOROV INDICATED THAT "INTENTIONAL USE" COMPRISED HOSTILE "MILITARY OR OTHER" ACTION IN TIMES OF PEACE AS WELL AS WAR. SOVIET UNION DESIRED MULTILATERAL CONVENTION. FEDOROV SAID SOVIET DRAFT CONVENTION AT UNGA SATISFIED BASIC REQUIREMENTS FOR ENMOD AGREEMENT. HE ADDED THAT US SHOULD SUPPORT SOVIET DRAFT AS WELL AS FURTHER DISCUSSION OF SOVIET DRAFT AT UNGA, CCD AND ANY OTHER FORUM AT WHICH DISCUSSED.

3. DAVIES, IN TURN, POINTED UP NECESSARY FACTORS TO CONSIDER IN ANY ENMOD ACCORD. BROAD PROHIBITION OF R AND D NOT FEASIBLE BECAUSE OF DUAL CIVIL-MILITARY APPLICABILITY. AGREEMENT SHOULD NOT CONFLICT WITH OTHER AREAS OF ARMS CONTROL DISCUSSION AND REGULATION. AGREEMENT MUST BE BROAD ENOUGH TO STAND TEST OF TIME, YET SPECIFIC ENOUGH TO BE EFFECTIVE. DAVIES POINTED OUT, HOWEVER, THAT US NOT IN MOSCOW TO DISCUSS ACTUAL WORDS OF ANY FUTURE ENMOD ACCORD.

4. FEDOROV SUGGESTED DETAILED DISCUSSION OF SOVIET DRAFT CONVENTION, BUT DID NOT INSIST. HE ACKNOWLEDGED DUAL APPLICABILITY OF R AND D, BUT SAID THAT SOVIET POSITION WAS "PRINCIPLED, POLITICAL" APPROACH WHICH ENVISAGED DECLARATION OF INTENTION THAT RESEARCH WOULD NOT BE USED FOR MILITARY PURPOSE. HE ACKNOWLEDGED NECESSITY OF BROAD FORMULATION OF TUTURE AGREEMENT BECAUSE OF SCIENTIFIC UNCERTAINTIES AND SAID AGREEMENT SHOULD BE "GENERAL, PRINCIPLED, AND NOT DETAILED." AGREEMENT SHOULD "EXPRESS WILL" OF COUNTRIES NOT TO ALLOW ENMOD USE FOR MILITARY PURPOSES.

SECRET

SECRET

PAGE 03 MOSCOW 16724 021453Z

5. AFTER SEVERAL NEGATIVE RESPONSES TO FEDOROV INQUIRIES REGARDING WHETHER US WOULD DISCUSS SOVIET DRAFT CONVENTION, FEDOROV ASKED TO HEAR CONCERTED US SUGGESTIONS FOR CHANGE IN SOVIET DRAFT OR OTHER AMERICAN PROPOSALS. MORNING SESSION ADJOURNED AT THIS POINT.

6. DAVIES OPENED AFTERNOON SESSION WITH STATEMENT CONTAINING US VIEW OF SUBJECT MATTER TO BE DISCUSSED

(SEE REFTEL, PARA 4.). FEDOROV THEN PROBED DAVIES FOR CLARIFICATION OF US DEFINITION--ESPECIALLY MEANING OF WORD "DISRUPTION" AND IF US WOULD CONSIDER THAT DEPRIVING A COUNTRY OF CRITICAL RESOURCES TO BE SUCH DISRUPTION IN NON-WAR SITUATIONS. DAVIES REPLIED THAT US WOULD REGARD SUCH HOSTILE DISRUPTION AS FALLING WITHIN THE TERMS OF OUR INTENDED PROHIBITION, SINCE THIS WAS A TYPE OF MILITARY USE.

7. FEDOROV THEN TURNED TO APPLICATION OF US RESERVATION CONCERNING ANCILLARY EFFECTS OF WEAPONS. IN ENSUING INTERCHANGE, HE APPEARED TO ACCEPT THAT PRESENT TALKS SHOULD ADDRESS THE ACTUAL MODIFICATION OF THE ENVIRONMENT NOT THE METHOD BY WHICH IT WAS ACHIEVED. HENCE, HE SAID, NON-USE OF NUCLEAR WEAPONS SHOULD BE CONSIDERED IN OTHER CONTEXTS.

8. FEDOROV THEN TURNED TO QUESTION OF "SEVERE, LONG-LASTING OR WODESPREAD" EFFECTS, AND ASCERTAINED THAT THE THREE CONCEPTS WERE INDIVIDUALLY SUFFICIENT, NOT COLLECTIVELY NECESSARY, TO ENJOIN A PARTICULAR ACTIVITY.

9. AFTER DISCUSSION OF ILLUSTRATIVE ANOMALIES PRESENT IN SOVIET DRAFT TREATY, SUCH AS POTENTIAL CONFLICT BETWEEN OCEAN DUMPING DONVENTION AND THE PROVISION DEALING WITH OCEAN MODIFICATION; AND THEIR ATTENDANT PROBLEMS, FEDOROV INDICATED THAT THE PRESENCE OR ABSENCE OF SPECIFIC PROVISIONS IN ARTICLE II OF SOVIET DRAFT WAS NEGOTIABLE. FEDOROV DID, HOWEVER, FLAG IMPORTANCE THEY ATTACH TO HERBICIDE PROBLEM BUT SEEMED TO POINT TOWARD SOLUTION ACHIEVED BY BANNING EVNIRONMENTAL EFFECTS RATHER THAN

SECRET

SECRET

PAGE 04 MOSCOW 16724 021453Z

METHOD OF PRODUCING SAME.

10. SOVIET SIDE PRESSED FOR EITHER SPECIFIC US PROPOSALS OR DISCUSSION BASED ON SOVIET DRAFT. DAVIES DEMURRED, HIGHLIGHTING EXPLORATORY PURPOSES OF THESE DISCUSSIONS; NOTING DEGREE OF SPECIFICITY IN SOVIET DRAFT WAS GREAT ENOUGH TO CREATE CONSIDERABLE AMBIGUITY BUT INSUFFICIENT TO PROPERLY RESOLVE THESE AMBIGUITIES. HE ALSO POINTED TOWARD DIFFICULTY WITH ESTABLISHING A CRITERION BASED ON INTENT, NOTABLY FROM VERIFICATION POINT OF VIEW.

11. FEDOROV INDICATED SOVIETS FELT THAT OUR FUNDAMENTAL POSITIONS WERE SIMILAR BUT THAT THEY NEEDED MORE CONCRETE US POSITION IN ORDER TO MOVE TALKS ALONG. ALTERNATIVELY,

WE COULD DISCUSS SOVIET DRAFT.

12. DAVIES MADE CLEAR ONCE MORE THAT US INSTRUCTIONS DID NOT ENVISAGE DRAFTING TREATY LANGUAGE AT THIS TIME. HE ALSO UNDERSCORED PROBLEMS INHERENT IN SOVIET PROPOSALS, NOTABLY PROBABILITY THAT TREATY WITH SUCH DETAILED PROVISIONS WOULD RAPIDLY BECOME OUTMODED.

13. FEDOROV THEN OBLIQUELY ALLUDED TO POSSIBILITY THAT VERIFICATION MIGHT BECOME BASIS FOR US STONEWALLING AS ASSERTED THAT VERIFICATION COULD BE DETERMINED ONLY AFTER SCOPE OF CONVENTION WAS CLEARLY DETERMINED. MEETING THEN ADJOURNED.  
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